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Attorney Docket No. 46342/56603

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#13
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: M. Nanba et al.

Art Unit: 1652

U.S.S.N: 10/009,158

Examiner: S. Swope

FILED: October 25, 2001

FOR: HUMAN CELL LINE SHOWING STABLE EXPRESSION OF
CYTOCHROMES P450

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on September 6, 2002.

By:

Regina M. Edwards
Regina M. Edwards

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of May 21, 2002, applicants previously elected Group I, claims 1-4, without traverse.

In response to the further restriction requirement of July 16, 2002, applicants hereby further elect cell line CYP3A4.

The present election is made solely to comply with the restriction requirement set forth in the Office Action. It should not be construed as a disclaimer or surrender of any

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subject matter in the application. The right to file one or more divisional applications on the non-elected claims is reserved.

Applicants believe that only a one-month extension of time is required, because this Response is being filed within one month after the expiration of the specified one (1) month period. Applicants petition for a one-month extension of time and include payment of fees for the one-month extension of time. If an additional extension is needed, applicants hereby conditionally petition for an extension of time to provide for the possibility that the need for such a petition has been inadvertently overlooked.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,



Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)

David G. Conlin (Reg. No. 27,026)

Edwards & Angell

Dike, Bronstein, Roberts & Cushman

Intellectual Property Practice Group

P.O. Box 9169

Boston, MA 02209

Date: September 6, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,158	10/25/2001	Masayoshi Nanba	46342/56603	8650

7590

07/16/2002

David G Conlin
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130 Water Street
Boston, MA 02109



EXAMINER

SWOPE, SHERIDAN

ART UNIT

PAPER NUMBER

1652

DATE MAILED: 07/16/2002 10

Please find below and/or attached an Office communication concerning this application or proceeding.

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find attached a communication from the **EXAMINER** in charge of this application
Commissioner of Patents

The reply filed on 6-25-02 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): the response does not include an election of a species as required on page 3-4 of the previous office action. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheridan L. Swope whose telephone number is 703-305-1696. The examiner can normally be reached on M-F; 8:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy can be reached on 703-308-3804. The fax phone

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DETAILED ACTION

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The reply filed on 6-25-02 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): the response does not include an election of a species as required on page 3-4 of the previous office action. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

You don't need the Office Action Summary sheet here - put the above paragraph on a PDL-TO, add your standard closing + include the cont sheet.

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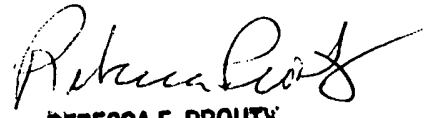
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numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.


REBECCA E. PROUTY
PRIMARY EXAMINER
GROUP 1800
1605